

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

DEREK A. CASARI,
an individual,

Plaintiff,

v.

CONNTEK INTEGRATED SOLUTIONS
INC., a Wisconsin corporation,

Defendant.

Civil Action No. 20-cv-

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Derek A. Casari (“Casari” or “Plaintiff”), by its undersigned counsel, respectfully sets forth its Complaint against Defendant Conntek Integrated Solutions Inc. (“Conntek” or “Defendant”) stating as follows:

THE PARTIES

1. Plaintiff Derek A. Casari (“Plaintiff” or “Mr. Casari”) is an individual who resides at 15477 Dickens Street, Sherman Oaks, California, 91403. Mr. Casari is the inventor of the invention set forth in U.S. Patent No. 6,217,390 B1.

2. According to corporate records filed with the Wisconsin Department of Financial Institutions, Defendant Conntek Integrated Solutions Inc. (“Conntek”) is a Wisconsin corporation with a principal office at 4640 W. Ironwood Drive, Franklin, Wisconsin, 53132-8871.

JURISDICTION AND VENUE

3. This Complaint alleges patent infringement under 35 U.S.C. § 271.

4. This Court has subject matter jurisdiction for patent claims pursuant to 28 U.S.C. §§ 1331 and 1338.

5. The Court has personal jurisdiction over Defendant because Conntek is incorporated in Wisconsin and its principal place of business is located in this jurisdiction. Conntek also has purposefully availed itself of the rights and privileges of conducting business in Wisconsin, both generally and specifically regarding the infringing activity described below.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 (b) and (c) and/or 1400, because Defendant Conntek committed acts of infringement in this District and has a regular and established place of business in this District.

FACTUAL ALLEGATIONS

7. Mr. Casari is the owner of United States Patent No. 6,217,390 B1 (the “’390 Patent”), entitled “AC Adaptor for Computer,” and issued on April 17, 2001. A true and correct copy of the ’390 Patent is attached hereto as Exhibit “A.”

8. Claim 1 of the ’390 Patent, the only claim of the patent, is addressed to an AC adapter and claims:

An AC adapter for a computer, comprising:

a single rigid housing with a concave end and a flat end;

a tubular shroud at said concave end of said housing;

three male prongs attached to said concave end of said housing and fully recessed within said tubular shroud;

wherein all of said male prongs have identical rectangular cross-sections;
wherein said concave end of said housing is adapted to be plugged into a conventional IEC power port on a conventional computer;

three female sockets at said flat end of said housing; and

three conductors connected between said male prongs and said female sockets to provide a straight-through connection;

wherein said female sockets are adapted to receive a conventional AC power plug from an electrical device, so that said AC adapter is adapted to connect said conventional AC power plug to said International Electrotechnical Commission (IEC) power port on said computer for powering said electrical device through said computer.

9. The term of the '390 Patent expired in October 2019, but the damage period for infringement of the '390 Patent covers the period from six years prior to the filing date of this Complaint and through the end of the term for the '390 Patent.

10. During the applicable damage period, Defendant Conntek offered for sale, sold, or imported into the United States IEC C14 to NEMA 5-15R Adaptors identified by Conntek as at least including, without limitation, Catalog Nos. 30130, 301308-FG, 30103, 30101, and, and as shown in the Internet-based Conntek Product Catalog at <http://www.conntek.com/images/catalog/PowerSystem2016.pdf> (last accessed April 14, 2020) (relevant pages attached at Exhibit "B" hereto) and at the "Products" link to Conntek's website at <http://www.conntek.com/products.asp> (last accessed on April 14, 2020) (relevant pages attached at Exhibit "C" hereto). The Conntek Adaptors have been and are being sold at various outlets including, without limitation, WalMart, Sears, and Amazon. In addition, and upon information and belief, Conntek has sold other variations of IEC C14 to NEMA 5-15R Plug Adaptors in the past.

11. Defendant Conntek was on notice of a patent infringement allegation by Mr. Casari in respect to the '390 Patent as early as November 18, 2015, when legal counsel for Mr. Casari notified Conntek, of the '390 Patent.

12. Despite such notice, Defendant Conntek has continued offering for sale, selling, or importing its Conntek Adapters for use in the United States.

COUNT I

INFRINGEMENT OF THE 6,217,390 B1 PATENT

13. The preceding paragraphs of the Complaint are hereby incorporated by reference as though the same were fully set forth herein.

14. Defendant Conntek offers for sale sells, or imports the Conntek Adapters and prior variations thereof that, upon information and belief, directly infringe claim 1 of the '390 Patent, literally or under the doctrine of equivalents, in violation of 35 U.S.C. §271(a).

15. More specifically, and upon information and belief, the Conntek Adapters and prior variations thereof include the elements of Claim 1 of the '390 Patent (or equivalents thereto). In particular, the Conntek Adapters and prior variations thereof provide an adaptor comprising:

a single rigid housing with a concave end and a flat end;

a tubular shroud at said concave end of said housing;

three male prongs attached to said concave end of said housing and fully recessed within said tubular shroud;

wherein all of said male prongs have identical rectangular cross-sections;

wherein said concave end of said housing is adapted to be plugged into a conventional IEC power port on a conventional computer;

three female sockets at said flat end of said housing; and

three conductors connected between said male prongs and said female sockets to provide a straight-through connection;

wherein said female sockets are adapted to receive a conventional AC power plug from an electrical device, so that said AC adapter is adapted to

connect said conventional AC power plug to said International Electrotechnical Commission (IEC) power port on said computer for powering said electrical device through said computer.

16. Upon information and belief, Defendant's making, offering for sale, or selling of the Conntek Adapters and prior variations thereof, with instructions to use claim 1 of the '390 Patent, induces infringement of the '390 Patent under 35 U.S.C. §271(b).

17. Upon information and belief, Defendant Conntek at all relevant times was and is aware of the '390 Patent and has known that use of Conntek Adapters and prior variations thereof by users in the United States has and will constitute direct infringement.

18. Upon information and belief, Defendant Conntek's importation, offering for sale, or sale of Conntek Adapters and prior variations thereof, with instructions to use such adaptors within the scope of claim 1 of the '390 Patent, are acts of contributory infringement of the '390 Patent under 35 U.S.C. §271(c).

19. Defendant Conntek has imported, provided, and sold the Conntek Adapters and prior variations thereof or offered them for sale to users in the United States intending that the Conntek Adapters and prior variations thereof would be used in the United States. Further, upon information and belief, Defendant Conntek also has known that that use of the Conntek Adapters and prior variations thereof by users in the United States has and will constitute direct infringement of the '390 Patent.

20. By reason of the foregoing, Mr. Casari has been damaged and will continue to be damaged in an amount yet to be determined and has suffered and will continue to suffer irreparable loss and harm.

21. The activities of Defendant Conntek complained of herein constitute willful and intentional infringement of the '390 Patent, are in total disregard of the rights of Mr. Casari, and

were commenced and have continued in spite of Conntek's knowledge that the manufacture, use, sale, and offer for sale of the Conntek Adapters and prior variations thereof were and are in the direct contravention of the rights of Mr. Casari.

22. This action, therefore, is "exceptional" within the meaning of 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court enter judgment that:

- a. Conntek is liable to Plaintiff for its direct, induced and contributory infringement and ordered to pay damages pursuant to 35 U.S.C. § 284 as a result of infringement of Plaintiff's '390 Patent, and all damages suffered by Plaintiff as a result of the infringement;
- b. This case is exceptional under 35 U.S.C. § 285;
- c. Plaintiff is entitled to a full accounting for and an award of damages for Conntek's infringement of the '390 Patent, including pre- and post-judgment interest and an increase in damages up to three times the amount found;
- d. Plaintiff is awarded its attorneys' fees, expenses and costs pursuant to 35 U.S.C. § 285; and
- e. Plaintiff is awarded such further relief as the court may deem appropriate.

A JURY TRIAL IS DEMANDED

Date: April 20, 2020

Respectfully submitted,

BOARDMAN & CLARK LLP

By

/s/ Barry J. Blonien

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